

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MICHAEL W. SCHLAICK,

Plaintiff,

No. CIV S-04-0275 MCE GGH P

vs.

WARDEN CAREY, et al.,

Defendants.

ORDER

On September 8, 2005, defendant Dickinson filed a summary judgment motion. On September 21, 2005, the remaining defendants filed a separate summary judgment motion. On November 1, 2005, plaintiff filed a document titled "Opposition to Defendants Motion for Summary Judgment." While it is clear that plaintiff intends this opposition to address the summary judgment motion filed September 21, 2005, it is unclear whether plaintiff's opposition addresses defendant Dickinson's summary judgment motion. More importantly, the opposition is untimely if it is also addressed to defendant Dickinson's motion.

////

////

////

////

1 Accordingly, IT IS HEREBY ORDERED that within ten days of the date of this
2 order, plaintiff shall inform the court whether his November 1, 2005, opposition is intended to
3 address defendant Dickinson's summary judgment motion and, if so, why the opposition should
4 not be deemed untimely as to defendant Dickinson's motion.

5 DATED: 4/10/06

/s/ Gregory G. Hollows

GREGORY G. HOLLOWS
UNITED STATES MAGISTRATE JUDGE

8 ggh:kj
9 sch275.osc
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26